

REMARKS

Claim 10 has been amended to clarify the invention.

Claims 1-11 remain pending in the application.

PRIOR ART REJECTIONS

Claims 1 and 7-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,597,807 to Watkins et al. Claims 2-4 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Watkins et al. in view of U.S. Patent Number 6,396,946 to Sogawa. Claim 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Watkins et al. in view of Sogawa and further in view of U.S. Patent Number 6,640,130 to Freeman et al. Claims 10 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Watkins et al. in view of U.S. Patent Number 5,129,010 to Higuchi et al. These rejections are respectfully traversed.

In the After Final Reply under 37 CFR §1.116 dated December 27, 2004, Applicants set forth detailed arguments in support of Applicants' position that the asserted grounds of rejection failed to disclose the claimed recitation of "a three-dimensional thermal image and a three-dimensional visible light image are observed by an observer as overlapping each other," as claimed in claim 1.

For sake of conciseness, such detailed arguments are incorporated herein by reference. Furthermore, there is nothing in the prior art reference that discloses or teaches "a

right visible light camera and a left visible light camera." Therefore, a three-dimensional visible light image is not produced in Watkins et al. Accordingly, a three-dimensional visible light image is not synthesized with a three-dimensional thermal image. Applicants submit that such arguments are fully responsive to the Final Office Action dated September 27, 2004 and respectfully requests the asserted grounds of rejections be considered and withdrawn based on such arguments.

CONCLUSION


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By: _____

Charles Gorenstein, # 29,271


CG/DSS/kmr
0717-0459P

P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000